

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

MCALLEN DIVISION

UNITED STATES OF AMERICA

V.

Samuel Lopez-Martinez
A206 900 863
the United Mexican States

PRINCIPAL
YOB: 1967

United States District Court
Southern District of Texas
FILED

APR 09 2015

CRIMINAL COMPLAINT

Case Number:

M-15-547 -M

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 7, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Luis Donaldo Gonzalez- De La Riva, citizen and national of the United Mexican States, and Melvin Jovani Mejia-Garcia, citizen and national of Guatemala, along with five (5) other undocumented aliens, for a total of seven (7), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Edinburg, Texas to the point of arrest near San Manuel Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On April 7, 2015, at approximately 4:00 PM, Operation Shortstop Agents were patrolling U.S. Highway 281 North of San Manuel, Texas when they were notified that a white Ford F-250 was possibly smuggling undocumented aliens. Rio Grande Valley Sector Intelligence agents were conducting surveillance on a residence located in Edinburg, Texas when they observed several vehicles arriving and leaving this location at different times. Intelligence agents received information previously regarding this white Ford F-250 that it was involved in alien smuggling. Surveillance of this white Ford F-250 over the course of the previous two days lead agents to a residence located near Wisconsin Road and Bluestone Street in Edinburg, Texas.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by: Linda Reavenez, ASA
4/9/15

Signature of Complainant

Sworn to before me and subscribed in my presence,

Israel Perez Senior Patrol Agent
Printed Name of Complainant

April 9, 2015
Date

at McAllen, Texas
City and State

Dorina Ramos U. S. Magistrate Judge
Name and Title of Judicial Officer

Dorina Ramos
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15- 547 -M

RE: Samuel Lopez-Martinez

A206 900 863

CONTINUATION:

Intelligence agents conducting surveillance observed the white Ford F-250 and another vehicle leave the residence in Edinburg, Texas and passed surveillance to CBP Air and Marine Helicopter Omaha. Omaha maintained uninterrupted surveillance of these two vehicles until they reached a highway cross over just south of the Falfurrias Border Patrol Checkpoint. At this time Omaha observed the white Ford F-250 pull over and saw eight subjects exit the truck. The subjects ran east into the surrounding brush. Omaha advised Aerostat agents and they acquired visual of the subjects absconding into the brush. Aerostat maintained visual of the eight subjects while Omaha maintained visual of the Ford truck. The location of the Ford truck was relayed to Operation Short Stop agent SBPA Raul Rodriguez who conducted a vehicle stop on the white Ford F-250 on U.S. Highway 281 south bound lane near the Brooks County Line.

The driver, identified as Samuel Lopez-Martinez was determined to be in the U.S. illegally and was placed under arrest along with seven undocumented aliens that were found inside the brush. LOPEZ and the seven undocumented aliens were transported to the Weslaco Border Patrol Station for further processing and questioning.

PRINCIPAL'S STATEMENT:

Samuel Lopez-Martinez was read his Miranda rights. LOPEZ stated he was willing to provide a statement without the presence of an attorney.

LOPEZ stated the smuggling arrangements were made by a man he met at the Love's Truck stop where he works. This man approached him and offered him \$200 to transport illegal aliens in a truck to Falfurrias, Texas. LOPEZ stated that eight illegal aliens were already inside the truck he was supposed to drive which was a white Ford F-250. LOPEZ was instructed that all he had to do was follow another truck north on highway 281 and that when that truck stopped and dropped off its illegal aliens he was to do the same. LOPEZ was paid \$31 upfront and was to get paid the rest after he returned to Edinburg.

MATERIAL WITNESS STATEMENT:

The material witnesses were read their rights and agreed to answer questions without the presence of an attorney.

1 – Luis Donaldo GONZALEZ-De La Riva stated that he made arrangements with an unknown smuggler in Mexico and was going to pay \$8,000 to be smuggled into the United States. He stated that he crossed into the U.S. illegally by rafting across the Rio Grande River on April 5, 2015. He stated that after crossing he and his group walked for several hours until they were picked up and taken to a stash house. GONZALEZ stated that a man driving a white truck picked up seven people at this house and told them to get out once they stopped at the side of the highway. GONZALEZ was able to identify Samuel LOPEZ-Martinez, in a photo lineup, as the driver of the vehicle.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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CONTINUATION:

Sovani

2 – Melvin^v GARCIA-Mejia stated that he made arrangements with an unknown smuggler in Reynosa, Mexico and was going to pay \$7,000 to be smuggled into the United States. He stated that he crossed into the U.S. illegally by rafting across the Rio Grande River on March 25, 2015. He stated that after crossing he was picked up near the Rio Grande River and taken to stash house. GARCIA stated that a man driving a white truck picked up seven people at this house and told them to get out once they stopped at the side of the highway. GARCIA was able to identify Samuel LOPEZ-Martinez, in a photo lineup, as the driver of the vehicle.

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY ☒ COMPLAINT ☐ INFORMATION ☐ INDICTMENT

OFFENSES CHARGED

United States District Court
Southern District of Texas
FILED

APR 10 2015

Clerk of Court

Place of offense
near

San Manuel, Texas

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

U.S.C. Citation

8 USC 1324(a)(1)(A)(ii)

PROCEEDING

Name of complainant Agency, or Person (& Title if any)

Israel Perez

Senior Patrol Agent

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person /proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense
☐ this prosecution relates to a pending case involving this same defendant prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW

DOCKET NO

MAGISTRATE
CASE NO.

Name and office of person
furnishing information on
THIS FORM

Israel Perez
Senior Patrol Agent

☐ U.S. Att'y ☒ Other U.S. Agency

Name of Asst. U.S. Att'y
(assigned)

Name of District Court, and/or Judge/Magistrate Location (City)

Dorina Ramos

U.S. Magistrate Judge, McAllen, Texas

DEFENDANT - U.S. vs.

Samuel Lopez-Martinez

Address { Rio Bravo, Tamaulipas, Mexico

Year of
Birth

1967

☒ Male
☐ Female

☒ Alien
(if applicable)

(Optional unless a juvenile)

DEFENDANT
IS NOT IN CUSTODY

- 1) ☐ Has not been arrested, pending outcome this proceeding if not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☒ Fed'l ☐ State
if answer to (6) is "Yes", show name of institution

Has detainer ☒ Yes
been filed? ☐ No

} if "Yes"
give date

filed April 10, 2015

Mo/ Day/ Year

DATE OF
ARREST

April 7, 2015

Or... if Arresting Agency & Warrant were not Federal
DATE TRANSFERRED
TO U.S. CUSTODY

Mo Day Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS